

WARWICK TOWNSHIP BOARD OF SUPERVISORS MINUTES

July 17, 2013

Chairman W. Logan Myers convened the July 17, 2013 meeting of the Board of Supervisors at 7:00 p.m. Present were Supervisors W. Logan Myers, Michael Vigunas, C. David Kramer, Herbert Flosdorf, and Anthony Chivinski. In attendance were Code and Zoning Officer Thomas Zorbaugh, Roadmaster Dean Saylor, Police Chief David Steffen, Kevin Varner, Amos Hurst, Nathan Jameson, Reid Buckwalter, Whit Buckwalter, Bill Kendall, Isaac Zimmerman, Gerald Pfautz and Ed Good.

GUEST RECOGNITION: Gerald Pfautz, 83 North Heck Road, stated that he has two documents that he would like the Chairman to read this evening at the request of his council. The Chairman stated that Pfautz's council may contact him directly. Pfautz noted that his council will not address the issue in writing. Pfautz stated that the Township's quit claim for the rails-to-trails, which occurred in 2008, was after the adjoining farmland was preserved. He stated that the Lancaster County Agricultural Preservation Board has indicated that if the rails-to-trails is extended along preserved farmland, the Township would need to pay \$519,000 in cash Escrow. He stated that his council is requesting a fax addressing the issue on July 18th. The Chairman stated that if there is an issue between Warwick Township and the Lancaster County Agricultural Preserve Board, the Township would discuss it with their office directly.

APPROVAL OF MINUTES: On a motion by Kramer, seconded by Vigunas, the Board unanimously approved the minutes of the June 5, and June 19, 2013 meetings as submitted.

TREASURER'S REPORT: The Board reviewed the Treasurer's Report. On a motion by Vigunas, seconded by Chivinski, the Board voted unanimously to approve the Treasurer's Report as submitted.

PAYMENT OF BILLS: The Board reviewed the list of bills submitted for payment. On a motion by Flosdorf, seconded by Vigunas, the Board voted unanimously to approve the payment of bills in the amount of \$517,856.39 from the General Fund.

TOWNSHIP MANAGER'S REPORT: The Township Manager submitted status report on the following projects:

Northern Lancaster County Regional Police Department: The Commission is establishing a subcommittee to further evaluate two requests for police services. Chief Steffen stated that additional studies are underway to review the feasibility of providing police services to several municipalities.

Warwick Emergency Services Alliance: The application period for the Director position expired on July 10th. WESA received 18 applications and the WESA Board is currently reviewing the list and working toward selecting a candidate.

Storm Water Ordinance: The Township is currently waiting on clarification from DEP on the exemption criteria. The subcommittee will meet on the amendment in August.

Road Projects: The Public Works Department will have several road and storm water projects underway during the summer months. The construction of the cold storage facility is proceeding on schedule.

The Board unanimously approved the Township Manager's Report.

TAX COLLECTOR'S REPORT: The Board reviewed the June, 2013 Tax Collector's report. On a motion by Kramer, seconded by Flosdorf, the Board unanimously approved the Tax Collector's June, 2013 report.

PUBLIC WORKS DEPARTMENT REPORT: The Roadmaster presented a report that outlines the activities of the Public Works Department during June, 2013. The Board unanimously approved the Public Works Department Report.

NORTHERN LANCASTER COUNTY REGIONAL POLICE DEPARTMENT REPORT: The Police Chief provided a report outlining the activities of the police department during June, 2013. The Board unanimously approved the Northern Lancaster County Regional Police Department Report.

ZONING OFFICER'S REPORT: The Code and Zoning Officer presented a report that outlines the Zoning/Building permits issued in June, 2013. He also outlined the case heard at the June 12, 2013 Zoning Hearing Board meeting. The Board unanimously approved the Code and Zoning Officer's Report.

COMMUNICATIONS: The Board received a copy of the June edition of the PSATS News Bulletin publication.

The Board received a letter from the Lititz RecCenter Executive Director expressing appreciation for the Township's 2nd Quarter contribution.

The Board received a letter from the Lititz Public Library Director expressing appreciation for the Township's 2nd Quarter contribution.

CONSIDER THE REVISED BROOKE COURT FINAL SUBDIVISION PLAN PREPARED BY DIEHM & SONS, DATED 6/5/2013: Kevin Varner, representing Diehm & Sons, explained that the site is located on the west side of Clay Road and is zoned R-1. He explained that the original plan for the subdivision was approved in 2003. He noted that the original plan included the creation of the lot on the east side of Clay Road. The plan this evening is for a four-lot subdivision with a cul-de-sac street. The lots are over 1-acre and would be served by on-lot well and on-lot septic. Varner explained that one of the modifications to the plan is the elimination of the proposed future street extension. In addition, NPDES regulations have changed since the original plan approval. While most of the stormwater facilities remain unchanged, additional infiltration provisions have been provided at the cul-de-sac bulb and on each of the lots. Varner explained that the lot owners would have the option to provide an on-site cistern to water lawns, etc. Varner addressed the Township Engineer's June 18, 2013 comment letter.

The Applicant is requesting a Waiver of Section 285-27.M pertaining to maximum length of a

permanent cul-de-sac street. The proposed cul-de-sac is 800' in length, which exceeds the maximum of 600' permitted by the Ordinance. The Township Engineer commented that in consideration of the justification cited by the Applicant, they recommend approval of the Waiver contingent upon the plans being submitted to the emergency providers for their concurrence with the cul-de-sac design and associated turn-around. Varner outlined the stormwater facility. The Planning Commission recommends approval of the Waiver request.

On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to grant a Waiver of Section 285-27.M, and to approve the Brooke Court Final Subdivision Plan contingent upon the Township Engineer's comments being addressed, and contingent upon the homeowner's responsibility for maintenance of the three common storm water systems being included in the deeds for the lots.

CONSIDER THE TRADITIONS OF AMERICA PRELIMINARY SUBDIVISION PLAN, PREPARED BY RGS ASSOCIATES DATED 5/10/2013: Chris Venarchick, representing RGS Associates, provided background on the proposal for the benefit of the Board. He provided a PowerPoint presentation outlining the project. The plan proposes 244 units composed of 172 single-family units, and 72 duplex units on the approximate 60 acre site. The homes would be restricted to ownership by individuals over age 55. Venarchick stated that the proposed density is 4.1 units per acre. He explained that the impervious coverage would be 47% and noted that the Ordinance would allow up to 60% of impervious coverage. He stated that the site would be developed in four phases; Phase 1 would include 79 units, Phase 2 would include 53 units, Phase 3 would include the center portion of the site containing 61 units, and green space, and Phase 4 of the project would be the northern portion of the site with the remaining 51 units. He explained that the site would be accessed via the primary entrance along West Millport Road. He added that a secondary private connection would be through the Heart of Lancaster Hospital and ultimately to Highlands Drive and Peters Drive. This private connection would include a 60' access easement for the retirement community. The plan illustrates the vacating of the northern section of Hess Lane to West Woods Drive. The roadway would remain public along the frontage of the existing properties. Venarchick added that all of the affected property owners are agreeable to the proposal. Venarchick outlined the proposed storm water management facilities for the benefit of the Board.

Vigunas inquired whether additional passive recreational land is proposed to the west of Bachman Run. The Code and Zoning Officer explained that the trails on the site are part of the passive recreation features of the site. Vigunas suggested a park like setting with a bridge across the stream and extending the trail along the stream to the west. Nathan Jameson, representing Traditions of America, stated that he would be agreeable to discussing trail connections when the adjoining tract is developed.

The Applicant is requesting a Waiver of Section 285-27.J(3)(a) pertaining to existing streets right-of-way requirements. The applicant is requesting a Waiver of the requirement to provide improvements to the cartway, install curbs and sidewalks along the portion of Hess Lane south of the point at which it is being vacated, as discussed during the Conditional Use process. Additionally, the applicant is requesting that improvements to the cartway, curbing and sidewalks for the areas of West Millport Road (west of the existing culvert) and West Woods Drive (frontage of Lots 2 and 3) be deferred until the future development of these lots. The improvements proposed by the Applicant along the frontage of West Millport Road are being coordinated with the

Township as part of a plan to significantly improve the traffic corridor in this area. The Planning Commission recommends approval of the Waiver request.

The Applicant is requesting a Waiver of Section 285-27.J(3)(b) pertaining to street frontage improvements in accordance with the Waiver of Section 285-27.J(3)(a). The Planning Commission recommends approval of the Waiver request.

The Applicant is requesting a Waiver of Section 285-28.B(2)(b) pertaining to sidewalks along existing streets and access drives. The Applicant is requesting a modification of the requirement to install sidewalks along the property line for the portion of Hess Lane that is scheduled to remain, and is requesting a deferment of the installation of sidewalks along West Millport Road (west of the existing culvert) and West Woods Drive (frontage of Lots 2 and 3). The Planning Commission recommends approval of the Waiver request.

The Applicant is requesting Waivers of the street design standards for the private drives within the proposed community. The overall justification for these modifications relates to the fact that the proposed internal street network is being owned and maintained by a common association. The Applicant is requesting Waivers of the following: Section 285-27.L(1) pertaining to clear sight triangles, Section 285-27.Q(1) pertaining to emergency access, Section 285-28.C(2) pertaining to curbs, and Section 285-34.C(8) pertaining to trees. The Planning Commission recommends approval of the Waiver requests.

The Applicant is requesting Waivers of the following sections of the Storm Water Management Ordinance: Section 270-8.F pertaining to general requirements for watershed transfer, Section 270-8.J(3) pertaining to general requirements for basin locations, Section 270-11.C pertaining to water carrying facilities for inlets, Section 270-11.F pertaining to water carrying facilities for minimum pipe cover, Section 270-11.H pertaining to inlet depression, and Section 270-11.P pertaining to storm sewer perpendicular to street centerline. The Planning Commission recommends approval of the Waiver request.

Kramer inquired whether sidewalks are proposed within the development. Nathan Jameson, representing Traditions of America explained that sidewalks are proposed within the development; however they are not along every roadway. He noted that additional trails were extended at different areas of the site. The roadways would be 24' wide.

Jameson requested authorization to install temporary real estate signs to direct interested individuals to their contact information and advertise the project is coming soon. He noted that the signs would meet the requirements of the Zoning Ordinance.

On a motion by Flosdorf, seconded by Vigunas, the Board voted unanimously to grant the requested Waivers, and to approve the Traditions of America Preliminary Plan, contingent upon the Township Engineer's comment letter dated July 12, 2013 being addressed. The approval also includes authorization for temporary real estate signs in accordance with Zoning Ordinance requirements.

CONSIDER REQUEST BY KELLER BROTHERS FOR A 30-DAY EXTENSION OF TIME TO RECORD PLAN: The Board reviewed the request. On a motion by Flosdorf, seconded by Kramer, the Board voted unanimously to grant a 30-day extension of time to record the Keller

Brothers plan.

CONSIDER REQUEST BY LITITZ LAND TRUST FOR A 30-DAY EXTENSION OF TIME TO RECORD PLAN: The Board reviewed the request. On a motion by Chivinski, seconded by Kramer, the Board voted unanimously to grant a 30-day extension of time to record the Lititz Land Trust plan.

DISCUSSION ON TOWNSHIP BUILDING MAINTENANCE: The Code and Zoning Officer explained that two locations on the municipal building require Dryvitt repair. He submitted cost estimates for the repairs which total \$9,185.00. He noted that the price does not include any repair work to the interior wall if needed. He provided additional estimates that include a skim coat repair to the lower level of the building or repainting the gable ends which are between \$11,500 and \$13,200. The cost to change the fascia and install new gutters is estimated at \$7,830.00. He explained that the location of the gutters on the building created damage by allowing water to flow behind the Dryvitt at these two locations. The Chairman suggested that cost estimates should include the options to replace the Dryvitt with clap board or board and batten. The Code and Zoning Officer stated that a decision does not need to be made this evening. The Board voted unanimously to table action on this item.

APPOINT SOLICITOR TO REPRESENT THE TOWNSHIP IN A JUDICIAL TAX SALE: The Code and Zoning Officer stated that the property is a portion of Newport Commons. On a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to authorize the Township Solicitor to accept service of the Petition for Judicial Tax Sale and the Rule Returnable entered by the Court on April 11, 2013, as well as the Addendum to Lien Search, all of which is docketed in the Lancaster County Court of Common Pleas to No. CI-13-03201.

CONSIDER AUTHORIZATION TO CONTRACT FOR WEBSITE SERVICES: The Code and Zoning Officer stated that Lancaster County will no longer host municipal websites by the end of the year, and the Township is considering several options for its website. Several firms have submitted proposals for their services. Township staff is requesting authorization for the Township Manager to select an option for the Township's website. On a motion by Chivinski, seconded by Flosdorf, the Board voted unanimously to authorize the Township Manager to select an option for Warwick Township's website.

EXECUTIVE SESSION: The Chairman announced that the Board will recess to an Executive Session to discuss real estate issues. Upon reconvening the meeting, and on a motion by Flosdorf, seconded by Chivinski, the Board voted unanimously to retract the inspection services of Commonwealth Code in the Township during the remainder of 2013, and to allow the completion of outstanding permits, and to reconsider an appointment for inspections services in 2014.

ADJOURNMENT: With no further business to come before the Board, the meeting was adjourned at 8:31 p.m.

The undersigned certifies that he was present at the meeting of the Board of Supervisors held on July 17, 2013, that he acted as the recording secretary at such meeting, and that the foregoing minutes are accurate in all material respects.

Thomas L. Zorbaugh
Code and Zoning Officer

Based upon the foregoing Certification, the undersigned approves the minutes of the Board of Supervisors for the meeting held on July 17, 2013, and directs that the minutes be duly filed.

Daniel L. Zimmerman
Secretary